



West Virginia State Police
725 Jefferson Road
South Charleston, West Virginia 25309-1698
Executive Office

Colonel Jan Cahill
Superintendent

December 6, 2018

VIA EMAIL jake.zuckerman@wvgazetteemail.com

Jake Zuckerman
Charleston Gazette Mail
1001 Virginia Street, East
Charleston, West Virginia 25301

RE: FOIA Request- Formal Response to July 24, 2018

Dear Mr. Zuckerman,

Per your request, please find the following formal response to your Freedom of Information Action request dated July 24, 2018, which follows up our verbal response and our arranged meeting in the matter on July 30, 2018. Please see the following response:

1. Any reports produced by the West Virginia State Police's Professional Standards section that involve an internal investigation into the conduct of Trooper Nathan Stepp.

Your request is denied, this involves an active criminal matter of the arrested subject, pursuant to West Virginia Code § 29B-1-4 the following exemption applies:(4) Records of law-enforcement agencies that deal with the detection and investigation of crime and the internal records and notations of such law-enforcement agencies which are maintained for internal use in matters relating to law enforcement.

2. Trooper Stepp's personnel file.

Your request is denied, pursuant to West Virginia Code §29B-1-4 (2), information of a personal nature such as that kept in a personal, medical, or similar file, if the public disclosure of the information would constitute an unreasonable invasion of privacy, unless the public interest by clear and convincing evidence requires disclosure in this particular instance: Provided, That this article does not preclude an individual from inspecting or copying his or her own personal, medical or similar file.

Integrity Fairness Respect Honesty Courage Compassion

3. Any documents containing notice of administrative leave for Trooper Stepp.

A search was conducted and the West Virginia State Police is not in possession of any of the records of your request.

4. Any criminal complaints in the State Police's possession regarding charges filed against Joshua M. Settle on April 19, 2017 or April 20, 2017.

Your request is denied, this involves an active criminal matter, pursuant to West Virginia Code § 29B-1-4 the following exemption applies:(4) Records of law-enforcement agencies that deal with the detection and investigation of crime and the internal records and notations of such law-enforcement agencies which are maintained for internal use in matters relating to law enforcement.

5. Dashboard camera footage of any interaction between Trooper Stepp and Joshua Settle on April 19, 2017 or April 20, 2017.

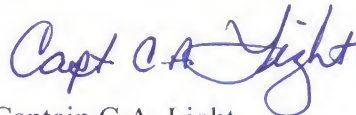
Your request is denied, this involves an active criminal matter, pursuant to West Virginia Code § 29B-1-4 the following exemption applies:(4) Records of law-enforcement agencies that deal with the detection and investigation of crime and the internal records and notations of such law-enforcement agencies which are maintained for internal use in matters relating to law enforcement.

6. Payroll data for Trooper Stepp from April 20, 2017 to the current date (July 24, 2018).

The documents you have requested have been located, please remit check or money order payable to the West Virginia State Police in the amount of \$20.00 to the address above to the attention of "Legal Division", the report will be mailed to you upon receipt of payment.

Pursuant to West Virginia Code § 29B-1-3 et seq., the responsibility of the custodian of any public records or public body to produce the requested records for documents is at an end.

By Direction of the Superintendent,



Captain C.A. Light
Deputy Chief of Field Services